

# Cross-Border Cooperation: Challenges and Perspectives for the Horizontal Dimension of European Integration\*

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## Трансграничное сотрудничество: вызовы и перспективы для горизонтального измерения европейской интеграции

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## Part 2. Practical Calls for Management of Cross-border Cooperation — Need of Capacity-building

### 1. Practical challenges of cross-border governance — a need for capacity building

In light of the impressive career of the governance concept in Social Sciences (see Blatter 2006), Governance is today one of the central concepts being discussed in the practical and theoretical field of cross-border cooperation too. However the definition of the term governance is quite often not clear in its use. It seems therefore useful to have a closer look on its initial conceptual definition first, before presenting in more detail the specific patterns of cross-border governance.

In its more generic definition, governance refers simply to the different mechanisms which generate order within a given population of actors in a specific policy-field. This can happen through unilateral adaption (market), command and obedience (hierarchy), negotiation and functional interaction (networks) or through a common orientation of behaviour based on generalized practices of a society (norms, values) (Mayntz 2009: 9).

Following Fürst (2011) a second analytical dimension must be distinguished in this respect: the procedures that lead to such collective order (decision processes, rules of decision making, styles of policy-making) which can be defined as governance in the narrow sense of the term and the different forms of how these processes are organized (classical institutions versus non-hierarchical networks), which can be defined as government in the narrow sense of the term.

According to Beck/Pradier (2011) a third analytical component can be added, in order to fully exploit the concept of governance, and which seems very important especially from the point of view of territorial development: this is the practical shaping of gover-

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nance. Two dimensions must be distinguished in this regard, the horizontal dimension which refers to the types of actors involved (governmental, non-governmental, society, private) and the vertical dimension which refers to the different territorial levels involved (local, regional, sub-national, national, European).

Cross-border governance is characterized by a number of features that represent a distinctive pattern compared to a classical „mono-jurisdictional“ approach (Beck/Pradier 2011): The first distinctive feature is that cross-border governance initially always has a territorial dimension (Casteigts 2010). The observed cooperation and coordination processes are constituted within a spatial parameter including areas of different bordering countries. Each given cross-border spatial context (eg presence of natural boundaries, population density, degree of socioeconomic integration, polycentricity) determines the resulting challenges to be matched with regards to the production of joint spatial solutions (development given potentials, creating infrastructure conditions, complementarity of sub-regional spatial functions, etc.) and thus constitutes the functional framework of this type of cooperation. Characteristically, however, the territorial dimension of cross-border cooperation has a strong inter-relation with the given politico-administrative boundaries which makes it more difficult to handle socio-economic spill-over effects that typically exceed these limits. This creates the challenge of adapting the spatial parameters of the cooperation to the scope and content of different levels of functional integration, with the practical difficulty that a “regional collective” (i. e. the mobilization/integration of all relevant intermediary actors of a territory) is hardly emerging on a cross-border basis, which is a distinct pattern compared to “classical” regional governance taking place within a single domestic context (Kleinfeld/Plamper/Huber 2006).

The second feature of cross-border governance is that this type of regional governance takes place within a context that involves relations between different countries. The transnational dimension of cross-border governance is a specific characteristic, which greatly contributes to the explanation of the specific patterns and functionalities of this cooperative approach. Unlike “classic” regional governance, transnational governance is characterized by the fact that decision arenas of different political and administrative systems have to be inter-connected. The challenge for the resulting cross-border bargaining-systems, however, is not only to coordinate different delivery-mechanisms of different politico-administrative systems but also to manage the complex “embeddedness” of the cross-border territorial sub-system into the respective national politico-administrative systems (Frey 2003). In addition, the intercultural mediation and communication function, which is also closely linked to the transnational dimension of cross-border governance, is a real source of complexity. This refers not only to the interpersonal but also to the inter-institutional components of the cross-border negotiation system and includes the open question about the possibilities and limits in matching divergent administrative cultures in Europe (Beck/Larat 2015). Finally, features such as the strong consensus-principle, the delegation principle, the non-availability of hierarchical conflict resolution options, the principle of rotation of chairs in committees, the tendency to postpone decisions rather than implementing them can also be explained by this transnational dimension. Cross-border governance obviously shares largely general features which were highlighted in the research on international regimes and which reflect (dys)functionality of transnational bargaining systems. At the same time this allows to explain, why it is sometimes so difficult for cross-border actors to agree on even the very basic components of the governance approach: terms such as “actors”, “networks”, “decision rules”, “civil society”, “project”, “cluster” etc in fact represent deeply culturally bound concepts upon which inter-cultural differences and conflicts very quickly can arise (Eisenberg 2007).

The third distinctive feature of cross-border governance can be seen in its European dimension (Lambertz 2010). Stronger than national patterns of regional governance,

which also may refer to European policies, especially when incorporating issues like external territorial positioning strategies and / or the use of appropriate European support programs, the characteristics and finalities of cross-border governance are much more interlinked with the project of European integration as such. Cross-border territories are contributing a specific horizontal function to the European integration process (Beck 2011). European notions, objectives and policy approaches such as “Europe is growing together at the borders of Member States”, “Europe for Citizens”, “territorial cohesion” or “European Neighborhood Policy “are concepts that relate directly to the European dimension of cross-border cooperation. Cross-border cooperation today is a specific level of action within the European multi-level context. Accordingly cross-border territories have a (sectoral) laboratory function for the European integration: in all these policy areas that are either not harmonized at European level or where European regulations on the national level are implemented differently, practical solutions and answers to real horizontal integration problems have to be developed in a cross-border perspective. This represents a specific innovation perspective for European integration, taking place at the meso-level of cross-border cooperation. In addition, the Interreg program with its characteristic, “externally defined” functional principles, is determining the cross-border governance to a large extend. This European action model characterizes the cooperation in general much stronger than it is the case within the national context, where also other than European funding opportunities (i. e. national programs with much less administrative burden) do exist.

The fourth feature of transnational governance can finally be seen in its thematic dimension. Cross-border cooperation consists of more or less integrated approaches of cooperation between different given national policy areas. The character of these regulatory, distributive, redistributive or innovation-oriented policies not only enhances the respective constellation and the corresponding degree of politicization of the factual issues in question; it also determines crucially different institutionalization requirements of the governance structures (Beck 1997). These may vary considerably by policy field, and make it very difficult, to develop an integrated, cross-sectoral governance-approach at the cross-border level. The complexity of such governance is increased by the fact that the (variable) policy types may determine the interests and strategies of the actors involved directly, thus also affecting the interaction style, the applied decision rules, and ultimately the efficiency of cross-border problem-solving significantly. The difference to the functionality of collaboration patterns that take place within a single institutional system context must be seen in the fact, that the systemic determinants and thus the intersection of actors, decision skills, resources for action and the synchronizing strategic interests in the cross-border context can vary widely by policy-field and the different institutional partners involved. Thus, constellations of action and actors, which are evident within the national context and which allow for the development of “social capital” and a constructive and productive problem-solving within a specific territorial/or sectoral governance approach are often completely different in the perspective of a cross-border governance. This leads to very specific patterns of cross-border (non-) policy-making, which is characterized by much higher complexity and informal dynamics of the processes on the one hand and a decoupling of thematic and interest-related interaction on the other, and which have therefore been described as a specific pattern of transnational administrative culture (Beck / Larat 2015).

The horizontal analysis of the contributions of a joint research project, carried out by the Euro-Institute and the University of Strasbourg with more than 100 contributions coming from both the academic field and from practitioners of cross-border cooperation (Wassenberg 2010; Wassenberg/Beck 2011a, 2011b,; Beck/Wassenberg 2012a, 2012b) allowed to identify two generalized patterns of cross-border-policy-making in Europe. One first conclusion that we were able to formulate on this basis (Beck 2012a) is the

hypothesis of a certain *convergence* with regards to the practical functioning of cross-border cooperation in Europe. This convergence is mainly caused by the procedural logic of the financial promotions programmes of the European Commission with regards to the ETC objective (“Interreg”) leading to more or less unified practices regarding the implementation of elements like the partnership-principle, the principle of additionality, multi-annual programming based on SWOT-analysis, project-based policy-making, project-calls, financial control etc. As a consequence we can observe during the last two decades or so a general pattern of CBC policy-making that is characterized by a shift from informal exchanges to more concrete projects, from general planning to attempts for a more concrete policy- implementation, from rather symbolic to real world action, from closed informal networks to more transparent and official institutions.

In addition the role and the perception of the very concept of the border has changed considerably: the separating function is less important today but more and more replaced by an integrated 360° perception of the cross-border territory and its unused potentials. At this level it is not so much the impact of the European programmes and their sometimes a bit too ambitious objectives as such, but rather the change in the perception of the local and regional actors themselves, which after years of sometimes frustrating experiences, leads to a certain positive pragmatism when it comes to cross-border issues: it becomes more and more evident, that cross-border institutions today are more platforms than real administrative units, allowing for the very pragmatic search for joint solutions to common local problems resulting from the increasing border-crossing socioeconomic dynamics (Beck/Thevenet/Wetzel 2009), in areas such as transportation, spatial planning, environmental protection, risk prevention, citizens advice and health cooperation, etc. rather than for the definition and implementation of big strategic ambitions.

The research project has on the other hand allowed to identify a second general pattern, which is represented by *seven central challenges* of CBC policy-making, determining and often still hindering — however with differences regarding their intensity and combination — the horizontal interaction in cross-border territories everywhere in Europe:

- Developing functional equivalences between different politico-administrative systems: How to develop functional interfaces that allow for successful cooperation between partners coming from different institutional domestic backgrounds with regards to distribution of power and resources, professional profiles and sometimes even the scope and the legitimacy for transnational action as such (Beck 2008)?
- Creating effective knowledge-management for the cross-border territory: How to generate and use valid information about the characteristics, the real world problems but also the potentialities of a cross-border territory in a 360° perspective, how to base future action on a sound and integrated empirical basis and thus avoiding a negative “garbage can model” (Cohen/March/Olsen 1972) practice of cross-border policy making (ad hoc solutions developed by individual actors, based on individual preferences in search for an ex post justification and a real world problem).
- Transferring competencies from principals to agents: How to reduce the dependency of cross-border actors and policy-making on the respective domestic context by identifying fields of cross-border action that best can be implemented by a transfer of real administrative and functional competence from the national jurisdictions towards cross-border bodies with sufficient administrative, financial personnel capacity, how to design decision-processes in this regard (Benz/Scharpf/Zintl 1992)?
- Optimizing the interaction between actors: How to turn the confrontation of different cultures, attitudes, expectations, assumptions, values, interests etc into a productive working context, which allows for the avoidance of mutual blockages and the development of innovation and real added-values instead (Demorgon 2005; Eisenberg 2007; Euro-Institut 2007); how to integrate actors representing different sectors

(public, private, societal) and cultures into existing patterns and structures of cooperation, how to create and manage inter-sectoral synergies in a cross-border perspective (Beck/Pradier 2011)?

- Finding the right level of organization and legal structure: How to find the right degree of institutionalization and the right legal form for different cross-border tasks by developing a good balance between open network and classical organizational approaches when structuring the cross-border working context; how to avoid both the case of institutional sclerosis and informal/individual arbitrariness (Beck 1997)?
- Capturing and measuring the value added and the territorial impacts: How to pre-assess cross-border impacts of different policy-options before taking action on the preferred one; how to develop and inform specific indicators allowing for a better demonstration of the specific value added of the integrated cross-border action compared to an action taken by the neighboring jurisdictions separately (Tailon/Beck/Rihm 2011)?
- Increasing the sustainability beyond a simple multi-project approach: How to avoid the case of multiple uncoordinated sectoral projects which creates fragmented cross-border activity for a certain time (funding) period only, by strengthening the target-orientation and selectiveness of cross-border policy-development based on integrated (eg. inter-sectoral) territorial development strategies (Casteigts 2010).

It is evident, that the seven challenges cited above are at the same time the central fields for any capacity-building approach responding to the needs of a future multi-level-governance perspective of cross-border cooperation (Scharpf 1994; Beck/Pradier 2011; Jansen/Schubert 1995; Nagelschmidt 2005; Beck/Wassenberg 2011). This includes not only the question of how individual actors or members of institutions can better be trained in order to cope with these challenges. Rather the overall systemic question is on the agenda, e.g how the entire cross-border cooperation-system can be improved and professionalized in order to reach a new level of quality which allows for a better development of the endogeneous potentials of this type of territory within the context of the overall objective of territorial cohesion in Europe (Frey 2003).

It is amazing to see, how the well known and very basic definition of the concept of « capacity-building », developed by the UNDP within a rather different context, can inspire such a reflexion on the future of cross-border policy-making in Europe. According to UNDP (2006), capacity-building or capacity-development «...encompasses ... human, scientific, technological, organizational, institutional and recourse capabilities. A fundamental goal of capacity-building is to enhance the ability to evaluate and address the crucial questions related to policy choices and modes of implementation among development options, based on an understanding of environment potentials and limits and of needs perceived by the people of the country concerned» (UNDP 2006, p. 7). Accordingly, capacity-building has to cover three levels: a.) the creation of an enabling environment with appropriate policy and legal frameworks, b.) institutional development, including community participation and c.) human resources development and strengthening of managerial systems.

As these three elements refer directly to the seven challenges of cross-border cooperation identified above I suggested in this article, to better exploit the concept of capacity-building within the context of cross-border cooperation in Europe.

## **2. Training/facilitation and Institution-building: two fields of capacity-building FOR cross-border cooperation**

Border regions everywhere have specific characteristics. A wide range of social and economic phenomena have a 'border crossing' dimension, in areas as different as transport, labour markets, service delivery, consumption patterns, migration, criminality,

pollution, commuter movements, tourism and leisure time activities. All of these require close cross-border cooperation between neighbouring states. However unlike in the national context, where regional cooperation takes place within a uniform legal, institutional and financial framework, cross-border cooperation faces the challenge of managing different politico-administrative systems which have a distinctive legal basis and are usually characterised by different degrees of vertical differentiation in terms of structures, resources and autonomy of action (Casteigts 2010; Beck 1997; Lang 2010).

After a long post-war experience, where cross-border-cooperation was mainly marked by izz reconciliation function (Böhm/Drápela 2017) we are now in Europe on the threshold of cross-border cooperation of a completely new quality (Beck 2011). With the new cohesion policy of the European Union, attaching much greater importance to territorial cohesion and the extent of real impacts of cross-border actions (Tailon/Beck/Rihm 2011), but also thanks to a new generation of actors (Botthegi 2012), who are more interested in results than procedures, many border territories are currently redesigning and trying to strengthen their given pattern of cooperation (Casteigts 2010). At the same time, cross-border cooperation should continue to be developed and enhanced by a capacity building structurally and functionally, so that it is up to the real importance of border territories for the future European integration process (Jakob/Friesecke/Beck/Bonnafous 2011). Two practical fields seem of particular importance in this respect : strengthening training/facilitation and further developing the institutional capacity of cross-border cooperation.

### *2.1. Training/facilitation: the Euro-Institute approach*

One of the key bottlenecks preventing the deepening of cross-border cooperation in Europe is the lack of knowledge and understanding of the political and administrative systems of the neighbouring countries. A successful cross-border cooperation needs qualified actors who are able to close the gap between the subsystem and its specific functional characteristics and the functional preconditions provided by the different domestic jurisdictions involved (Jann 2002; Beck/The dieck 2008). One approach, which has been very successful for over 20 years now, is the creation of a specific institution, which exclusively works on CBC training — the Euro-Institute Kehl/Strasbourg (Beck 2008b). This bi-national institution contributes to the improvement of cross-border cooperation by continuing education and training and provides practical advice and coaching to practitioners in the cross-border field. In this way, the Institute has become a facilitator for successful cross-border cooperation in the Upper Rhine region and in Europe with regard to public policies, and contributes actively to the resolution of problems resulting from different legal and administrative systems.

The Euro Institute's training product is structured according to the needs identified by the actors involved in cross-border cooperation. The main characteristic of this product is its bi-national and bicultural orientation, and the main target groups are the employees of the state and local administrations in Germany, France and increasingly Switzerland. Its training courses are also open to participants from the private sector, and from research institutions, universities, civil society associations and other groups.

Based on the Euro-Institute's experience, training in a cross-border context as part of an overall capacity-building approach should develop at least three levels of personal skills:

#### *Basic training on cross-sectoral competences*

The basic component of such a training approach is the development of the cross-sectoral skills and competences necessary for any cross-border and/or inter-regional cooperation. The main objective here is to provide those involved with the necessary institutional and legal knowledge about the politico-administrative system of the

neighbouring states and about the system of cross-border cooperation itself. In addition, the relevant instrumental, methodological and linguistic skills must be trained in order to prepare and structure the proposed cross-border activity in advance. It is very important to sensitise the future actors about the importance of the intercultural factor and to provide them with the necessary tools and methods of intercultural management. Courses should also provide participants with the specifics of managing cross-border projects in terms of planning, financing, organisation of meetings, and monitoring and evaluation.

The courses and qualifications provided under this first level meet an increasing demand at our Institute. The more cross-border cooperation becomes an everyday reality, the more new actors face the challenge of becoming better trained and qualified in terms of the skills the course covers. Nearly all public institutions in the Upper Rhine valley are now seeking well qualified people who can represent them in both formal and informal cross-border cooperation situations.

### *Specialised training*

A cross-border training programme should then also provide specialised training courses which are more oriented towards representatives from the different administrative sectors in the neighbouring states. The content of these courses consists of selected policy-oriented topics within cross-border cooperation. The aim is to provide a neutral platform for exchanges between specialists from the different countries so that they can better understand the specific sectoral competences and organisational structures in the other countries, and identify differences and similarities with their own — or just allow them to get current information and analysis on policy developments and good practice in the neighbouring state. At the Euro-Institute, this training mainly consists of two day seminars, including informal exchanges during an evening event on the first day. As most cross-border problems have a sectoral or thematic component, and thus require cooperation between the relevant sectoral services, these specialist seminars are very often the starting point for future joint projects, and sometimes even lead to the establishment of bilateral or trilateral standing working groups.

A specific programme deals for instance with cooperation between the French and German police, justice and gendarmerie services in the context of the Schengen treaty. This programme, which consists of five annual seminars, was established in 2004. It is accompanied by a steering committee of high-level representatives from the participating administrations which select the topics and annually evaluate the course, which has been developed by the Euro Institute.

### *Developing competences on European affairs for local and regional authorities*

At a third level, it seems necessary to enhance the capacities of national public administrations with regards to European integration. Most local and regional administrations take a very pragmatic view and see Europe mainly as an opportunity to access EU financial support programmes like INTERREG. This is a legitimate position which raises numerous practical questions: how to find the right partner across the border; how to fill in the application form; how to set up a project's organisation; how to manage a cross-border budget; how to justify expenses; how to define good progress and impact indicators, and how to make a project-oriented monitoring and evaluation system work. Although the INTERREG secretariats of the relevant Operational Programmes usually do a very good job, practical experience shows that local and regional partners are very often overloaded by the complexity of the reporting and accounting demands, imposed on them by the funder. In addition, project partners coming from different jurisdictions often have different perceptions of these demands, and have to deal in the day-to-day running of a cross-border project with national administrations with quite

different administrative cultures. This is why the Euro Institute, using its own extensive experience of such projects, provides adaptable practical coaching to both the individual project leader and the bi- or tri-national project teams as an intercultural group. This contributes to the smooth functioning of the project teams, helps to avoid blockages, and thus facilitates both project and programme implementation.

Under the EU-objective of territorial cohesion, more and more local and regional authorities want to participate in inter-regional or even trans-national projects, and are developing partnerships with other European regions. In this context the question of good practice in international network management arises: how to build and maintain a solid international partnership; what is the relative position of the actors in the network; how to prepare and manage international meetings and so on. Here the Euro Institute also provides practical assistance.

Last but not least, the local and regional authorities are increasingly realising to what extent they are affected by European legislation. The fact that in Germany, for example, 70% of all local administrative action is more or less determined by EU law, rises the question of how to become more actively involved in the preparation of this law and how to better represent local and regional interests in its formulation. Based on the wide practical experience of its former Director, who has since 2004 been an accredited trainer on Impact Assessment for the European Commission's Secretariat General, the Institute helps local and regional actors to become more familiar with the relevant procedures at EU-level and teaches them how to contribute actively to stakeholder consultations and *ex ante* impact assessments, which increasingly have to consider regional and/or trans-regional dimensions.

A thorough knowledge of the politico-administrative system of the neighbouring country is a prerequisite for any efficient cross-border cooperation. The main difference of the Euro Institute's training courses compared with those of a national training organisation is therefore a real concentration on themes arising out of the needs of the cross-border professionals within the various sectors. Also the fact, that the training courses are always inter-service, bi-national and bilingual in nature has contributed to their high acceptance among participants. We have found that partnerships between the relevant administrations are best developed when the courses are prepared by an *ad hoc* group of different national specialists. Such preparation requires a lot of time and investment by the partners — but it is a necessary precondition for any effective bi-national training product, which not only considers the intercultural dimension but actively uses it in terms of content, methodology and participation. For successful cooperation with no 'mental frontier', trainers too must understand that they have to reconsider their whole way of thinking, recognising that constructive cooperation is not possible without knowing and respecting the structures, working methods and ethos of the neighbouring country's system — as well as fully understanding one's own!

The contribution of the Euro Institute in making this partnership principle really work is twofold: providing a neutral platform, and facilitating intercultural and inter-service exchange. Most important in this respect is a strategic positioning which is able to respond quickly to the real needs of the participants. Sometimes this means to be modest in one's aims and to provide only technical and logistical support. However, the provision of methodological and linguistic competence along with solid experience of good practice in intercultural management (Hall 1984; Hartmann 1997) are the hallmarks of the Euro Institute (Euro-Institute 2007).

The success of this Euro-Institute approach has recently lead to the creation of a new European actor: the transfrontier Euro-Institut-network ([www.transfrontier.eu](http://www.transfrontier.eu)) aiming to built up training capacity on cross-border questions at a EU-wide level. 12 partner-institutions coming from 9 different cross-border contexts all over Europe decided to propose a coordinated answer to the increasing need for knowledge, competences, tools and

support on cross-border affairs. Regarding the rising awareness of the importance of cohesion policy in Europe, the idea of the Network is to build capacities in cross-border and transfrontier contexts and this way strengthening the European integration. In order to achieve this goal and to have an extensive overall view of the territorial specificities in Europe, the project coordinator has been careful to invite partners from different parts of Europe to participate in the project. Hence, the partners involved in this project come from “maritime borders”, “old European borders”, “new eastern borders”, “peace keeping borders”, “external borders”, as well as “overseas borders between outermost regions”. As such, the partnership will be able to gain a comprehensive overview of the need for the professionalization of actors in cross-border cooperation and also gain insight into the current situation regarding transfrontier cooperation.

The TEIN gathers training organizations and universities and aims at facilitating cross-border cooperation and at giving concrete answers to the need of Europe for professionalizing actors on transfrontier issues. The “identity and reference grids” of all the partners testify from the quality and the great experience of each partner. The partners of the TEIN exchange best practices, analyse the specificity of training and research on cross border issues/in cross border contexts, capitalize on and draw synergies from the different local initiatives, work on new products like transferable training modules (training for cross-border project managers, etc.), methods (need-analysis methods in cross-border regions, etc.), tools (impact assessment toolkit, etc.), produce valuable research in this field and assure that newest research results within this field are disseminated to actors involved in transfrontier cooperation. TEIN will develop a joint certification system for cross-border training in Europe and will also enable bilateral projects in fields of common interest (exchange of learning units, of lecturers, common research programme, involvement in conferences, etc.) and an increased knowledge and awareness of cross border issues (at local, regional, national and European level) by producing higher quality work in this field.

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